UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:13-cv-348-RJC-DSC

THOMAS A. FILLORAMO,)
Plaintiff,)
vs.	ORDER
UNITED EVENTS SERV.;)
NC MUSIC FACTORY)
Defendants.)
)

THIS MATTER comes before the Court <u>sua sponte</u>. Plaintiff filed his Complaint on June 6, 2013. (Doc. No. 1). On the same day, the Clerk of Court provided a case assignment packet containing applicable rules to prosecuting civil cases in this district. Although one year has passed, the case docket reflects neither (1) a return of summons or proof of service of the Complaint on Defendant nor (2) an executed waiver of service by Defendant. Federal Rule of Civil Procedure 4(m) provides as follows:

If a defendant is not served within 120 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

The time for service of process having long expired, the Plaintiff is hereby warned that if she does not serve his Complaint on Defendant within 14 days, his case will be DISMISSED without prejudice.

IT IS, THEREFORE, ORDERED that Plaintiff shall serve her Complaint on Defendant and provide this Court with proof of service within 14 days. **FAILURE TO PROVIDE THE**

COURT WITH PROOF OF SERVICE WITHIN 14 DAYS WILL RESULT IN DISMISSAL OF ALL CLAIMS AGAINST DEFENDANT.

Signed: July 28, 2014

Robert J. Conrad, Jr.

United States District Judge